

MODERATOR: Duluth Public Meeting, October 5, 2004.

(tape shuts off)

MALE: The general questions of clarification that anybody had? Cindy?

CINDY: I'm just curious what Canada thinks of all this and what, what (not understandable).

MALE: By Canada do you mean their federal government Canada or the provincial or...?

CINDY: Well I don't want to get too (not understandable).

MALE: Well we've been working closely with Ontario and Quebec in the development of these agreements. And they understand you know that they can't be part of a binding agreement with the states because that's a treaty so that's why we have the two processes basically. The non-binding agreement with, with the provinces and then we're doing a compact with the states. So they've understand, understood that and they've been active participants through the entire process. And you know the comments, I was at the Toronto meeting here a couple of weeks ago, ah and there were significant comments, ah made there, ah, and the interests were similar to what we heard in Chicago and if what Jim had up on the screen. Is there enough conservation and industry might think there's you know, I mean there's a wide variety of um, ah, so there ah fully on board. They certainly, I mean they have a different form of government than we do but at this point they are being full partners with ah, with the states. Are there questions or concerns? Yes, sir.

MALE: Could you tell us, give us a little bit of historical background on the Chicago diversion. Why was that initiated and what purpose does it serve? And also it's the biggest isn't it, the biggest diversion?

MALE: The Chicago diversion, I don't want to get too far off, for some comments but I'll answer your question. The Chicago diversion happened about the turn of the century because they had I believe a cholera outbreak and there were a couple thousand people that died because they were discharging their sewer into the lake and taking their drinking water from the lake. So they changed the flow of the Illinois River to take the sewer away from the lake and remain taking their drinking water from the lake. And they were sued by ah a couple states, I don't know if Wisconsin was the initiating state, but basically there was a federal lawsuit that went to the U.S. Supreme Court. There was a Supreme Court decree that allows that diversion to continue at a rate of 3200 CFS for the year. And then there's an averaging period and there's a number of other concerns that ah, procedures that are dealt with through that diversion to make sure they stay on track. Several years ago there was some thought that we should go back to court because they weren't quite complying with all the terms of that agreement. There was a mediation between the eight states and the federal government and basically we worked out a

process to bring them into compliance with that decree. So it's basically that's being handled through a Supreme Court decree and there has been discussion about that. That issue came up in ah, in the Chicago meeting. Um, others real quickly? Because I know there was somebody here that had to get going. And I wanted to take his comments quick. But ah, yes, ma'am?

FEMALE: Um, 5 million gallons per day number is, how significant is that according to like how much (not understandable) a lake, how much water they take and how much water went back in (not understandable). How significant is that?

MALE: Joe, can you address that or do you want to wait...?

JOE: We have some of that data online. Um, I don't have an answer (not understandable) we can probably get to that.

MALE: I just have a technical question.

MALE: Yeah.

MALE: But it can wait until afterwards. It's about Article 201 paragraph 4.

MALE: All right, we'll wait for that one (laughs).

FEMALE: I have a question about what (not understandable) economic effects on (not understandable) water levels (not understandable)?

MALE: Well there hasn't been, I mean we haven't done technical analysis about what any changes would need. And we did have other interests involved, you know, involved in the process and the shipping industry was one of the advisors in ah, as the process evolved. So we haven't looked at specific numbers for what that would mean.

MALE: I'm really concerned about that 10-year phase in. And I'm wondering about the trigger point for that. Does that actually that 10-year phase in, is that initiated with the time the Governor signs or is it timed that the compact is actually implemented by virtue of ratification with all of the neighboring states?

MALE: It's the effective date upon ratification. Right?

MALE: Just to follow up on that. What is anticipated then for the time required for the states to actually implement it. I know that a constitutional amendment that can sometimes go on for years. Is there any timeframe that's required for ratification by the states or (not understandable)?

MALE: I (not understandable). I don't believe that there's a time frame required. So that, yeah. That will take some time. Why are...? Yes, sir.

MALE: Quick question. You mentioned that some of the states had not complied with the Great Lakes (not understandable) binding and my question is (not understandable) Minnesota's law is a lot more (not understandable) what is the process for them to implement this? When they sign this annex agreement then do they have to start like Michigan and some of the other places that are (not understandable). When do they have to (not understandable) bypass that and (not understandable)?

MALE: Basically it's bypassing the charter and we go into a new, this new set of agreements and the new standards that are...

MALE: (not understandable).

MALE: Yes.

MALE: Why don't we move into the, several people that wanted to speak. Ah, first Pete Weidman? Is that...?

PETE: Yes, thank you. I have a specific question...

MALE: Can everybody hear him from there? Or do you want a mic or how is that the easiest way?

MALE: As long as he can beller (sic) it out.

FEMALE: Is he going to be recorded? So that...make sure...?

MALE: Maybe you should come up and then you can address the people and make sure it's recorded. Thank you.

PETE: Do you want an introduction of some kind or...?

MALE: If you would say your name and your affiliation.

PETE: Okay. Pete Weidman. Just a concerned resident of Duluth. My question concerns Appendix 2 in the procedures here. Concerning the return of the flow, um, I don't see enough detail in this particular document concerning return flow. Specifically ah when we talk about anticipated water quality, the return flow, the return water, what do we mean by anticipated water quality? I would expect that water quality would be returned to Lake Superior would be of equal or greater quality as it already exists. So I'm very concerned about how that will be dealt with and with whom that information will be kept and how it will be regulated. Thank you.

MALE: Thank you.

MODERATOR: Next up, Virgil Sohm.

VIRGIL: Hello. My name is Virgil Sohm. I'm a member of the Lake Superior Band of Ojibwe Indians. I'm from the (?) Reservation and a resident of Duluth, Minnesota for the past 15(?) years. And my concern in viewing your documents is that of we are wanting to include the tribal jurisdictions, the fact that we have an ancient(?) treaty that gives us rights to gather, hunt, and fish as we continue to operate under that treaty. Of course the Great Lakes is vast, is beyond vastly beyond the area that covers our treaty but ah I would ask that our continued concern for this fresh water body of water um continuing to for future generations for our grandchildren and beyond their grandchildren. So I want to thank you for allowing me to speak. (not understandable).

MODERATOR: Thank you. Next I have Clara, is it Sletman?

CLARA: I'm just a concerned citizen. I am a Duluth (not understandable) I moved here two years ago and then I got (not understandable) but I'm originally from Ohio. So I'm (not understandable) for the last 18 years I've been spending my winters in Arizona. And I was concerned when I read this that they might (not understandable) water in Arizona. And so all the time I'd been I've never known any conservation (not understandable). Well when we have a (not understandable) not wash our cars, and not use the water to water our plants. But they don't do that in Arizona. Every home has a sprinkling system, a drip system, and they use it all the time no matter what. And they build and they build and they build out in the desert and they don't have any (not understandable) so when you're thinking about selling water to Arizona because (not understandable) I was...

(laughter)

MODERATOR: Thank you. And certainly what we're putting together here is not a mechanism to allow the transfer of water outside the basin, it's a means to better protect the resource and keep it here. But I appreciate your comments. Tom ah Duffins?

TOM: My name is Tom Duffins, I'm the program director for the Nature Conservancy of Northeast Minnesota Program. We also have offices in Ashland and Marquette for the south shore of Lake Superior, the best Great Lake.

(laughter)

TOM: I'm going to read a statement here. I do have just an initial curiosity about the involvement of the tribes in the development of these agreements that I'd like to go on the record as well. The Nature Conservancy recognizes the importance of sound water management as a necessary component to the health of biodiversity within the Great Lakes region. Consequently we have been actively engaged in the process that developed this draft agreement through our Great Lakes Program in Chicago. Our focus is on how to, how this agreement will affect ecosystems of the Great Lakes. The Nature Conservancy has select opportunities worldwide to bring sound science to water management because natural patterns of water levels and flows often disrupted through water management are critical to fresh water biodiversity. Net water loss

to the Great Lakes basin is not the sole source of harm to this ecosystem. How water is withdrawn and returned also has potential to disrupt flow patterns including the natural magnitude, frequency, timing and duration of critical flow conditions and the natural rate at which flow conditions change. We are encouraged that the governors and premiers that collaborate, collaborated to produce this draft agreement to guide their management of the world's largest freshwater ecosystem. This agreement has the potential to be a model for water policy worldwide. Currently our states and provinces are managing the waters of the Great Lakes under a patchwork of rules and policies. This new draft agreement provides an opportunity for clear and consistent water management policy. For the first time this agreement puts forth consistent standards for evaluating proposed water withdrawals, hopefully not to Arizona, from all the waters of the Great Lakes basin. These standards are based on environmental criteria and will be applied by all Great Lakes states and provinces. In addition to the commitment by the states and provinces to manage water withdrawals from all waters of the Great Lakes basin, the Great Lakes themselves, the headwater streams, large rivers, inland lakes, wetlands and groundwater, as the single connected ecosystem under uniform set of standards the state and provincial leaders are setting a precedent for environmental policy. Within the inclusion of the improvement standard, Great Lakes governors and premiers commit themselves to improve the Great Lakes ecosystem through responsible water use. This agreement is the first example of water policy to lay protective use of an ecosystem such as the Great Lakes with restoration of the same system. This is a laudable and critical step forward in our restoration of the Great Lakes. While we support this agreement overall, in order to effectively protect and improve the Great Lakes ecosystem, the agreements need to be strengthened in four specific areas: water conservation, the averaging period, the phase-in times implementation, and the application of these improvement standards. Our first recommendation is that the agreement specify what is required to meet the water conservation standard. We encourage the states and provinces to develop and commit the regional conservation goals that will be met by implementation of environmentally sound and economically feasible water conservation measures. Around the world, cities, industries, and farms have demonstrated that water conservation can reduce usage by 25 to 50 percent or more. Saving money, and energy while protecting freshwater ecosystems. In Chicago, every five percent reduction in water use saves the city 1.2 million dollars to the cost of treating and pumping water. The United States and Canada have twice the per capita water use as Europe. For example, water consumption in the United States is more than four times higher than the global average. There's opportunity for water conservation in every sector. Our second recommendation is that the averaging period be 30 days so that all water use sectors are subject to the same standards. This will prevent harm to freshwater ecosystems caused by unmanaged water withdrawals. The 120 day averaging period proposed in the agreement is not based on sound science and poses considerable risk to freshwater ecosystems. Averaging periods longer than 30 days would exempt from oversight many withdrawals that are likely to damage freshwater ecosystems. The longer averaging period would allow users to withdrawal the highest quantities of water during the driest months. These are the months when streams and other sensitive ecosystems are most vulnerable. They could do this without meeting any of the standards as long as their average was below 100,000 gallons a day over 120 days. We recommend a five-year phase in period to develop jurisdictional programs to manage water withdrawals. We understand that states and provinces may need time to develop new water management programs that are consistent with these new standards. However, as a region we

need to implement consistent water management standards in a timely manner and should not wait the proposed 10 years to implement this policy across jurisdictions. These standards should be implemented as soon as possible to avoid further degradation to the Great Lakes ecosystem from unmanaged withdrawals. And finally, we recommend that all water users should be required to improve the ecosystem. Holding all withdrawals, all withdrawals to the standards of no harm water conservation and improvement was the core commitment of Annex 2001. This commitment is precedent setting. A strong improvement standard catalyzes the region to think creatively and collectively about how our natural systems can be improved. This policy loses its restorative power when all users are not required to improve the ecosystem through water use. Individually these improvements do not need to be large and costly. Users will do incremental good rather than incremental damage. That commitment to the Great Lakes basin in cooperation shown by the states and provinces encourages and inspires us and we continue to support the region's leadership in the development of this precedent setting water management policy. The foundation is laid for water policy that can lead to real ecosystem benefits for the Great Lakes basin. Its effectiveness depends on whether the states and provinces make the necessary changes to the agreement adopted, apply these standards consistently, and enforce them. Thank you.

(applause)

MODERATOR: Thank you, Tom. If you have a, if you would care to provide us your written comments, that would be beneficial too Tom, if you've got an extra copy. Ah, Jane Anklam? How'd I do on that?

JANE: Great.

MALE: (laughs)

JANE: My name is Jane Anklam, I'm with the West Wisconsin Land Trust. Um I am a licensed (not understandable) scientist for the state of Wisconsin and (not understandable). I have two comments. First as a project specialist for the West Wisconsin Land Trust, I work with landowners whose (not understandable) organizations in the west Lake Superior basin and our goal is to offer the (not understandable) conservation easement to these (not understandable). Our organization is developing a present, presence in this area of the state and we see it, we receive an increase in calls and inquiries from planners and land owners (not understandable) of the for our services themselves in conservation (not understandable). The communities and landowners is what's Superior (not understandable) strike a balance between the development of a healthy landscape, the infrastructure needs, and development. And any initiatives such as this one need to address the current local efforts that are already being made on the (not understandable) and the growing customers and the shrinking choices of this developing landscape and landowners who are trying to protect their watershed. The second comment is as an earth scientist, the issue of water diversion is not so simple as net removal and net gain. (not understandable) a gallon for gallon moved back and forth from the basin is outside, inside, back and forth is and being returned, affects the formation in the hydrological processes that are occurring in the basin and responsible for the (not understandable) structure of the basin. And

once this process starts ah the balance will be changed forever, it's not something that we can correct. Once we've done it, so I would say that this needs to be duly acknowledged throughout the planning process. Finally of course we do support the (not understandable) governors and all involved in managing this, the water management (not understandable).

MODERATOR: Thank you. And actually that's the last person that had been pre-registered to speak. But we obviously have lots of time and there's still cookies left. So we can just take comments from or questions from anyone here or Chuck or (not understandable). Yes, ma'am?

FEMALE: I just want to say that in making these decisions and listening to this from my perspective and the (not understandable) please take into consideration that there are significant costs that will fall back on us, in infrastructure, in, in tracking these programs, and once again we are short staffed and we are without money and if these things are going to come in, we need help financially to implement them.

MALE: Okay. And I think lots of us are feeling the same kinds of pains you are (laughs), but I appreciate your comments. Yes, sir?

MALE: How much (not understandable) has been done in respect to potential for diversion and consumption, etcetera? It seems to me that there would be (not understandable) agencies and people involved and some have knowledge of water levels of historically, and effects of climatology (not understandable). There's got to be (not understandable). Are you going to make use of that as a tool for managing this? It seems like the rules you're trying to put forward are so simple, they're almost impossible to have any real effect. (not understandable) wet periods, etcetera, as far as the walls (not understandable) there's all kinds of control technology, modeling (not understandable) corps of engineers has all kinds of things they're doing, the DNR does, historic cumulative impacts and (not understandable) total maximum daily withdrawals (not understandable) similar to a (not understandable) load per (not understandable) we can combine them to (not understandable). I personally am opposed to digging clean water out of Lake Superior specifically bringing it back polluted. You can say you ran it through a treatment plant but that is constant...if that was, the one thing they could do, you could perhaps consider is doing something like they do in Los Angeles. Where they took their initial supply of water out of the lake anyway, they require they recycled it and improved their water filtration (not understandable) water coming back is so clean they should be able to filter it themselves and use it for a much longer period and just input and output one of the (not understandable) I mean something like that. Is there anything in the process which would address situations like that?

MALE: I think there have been comments that we've already received certainly about the water quality issue and other earlier tonight even mentioned that that they're concerned about what any return water or the quality of that water is. And you're correct, there are lots of models that the corps of engineers is probably the one answer team that does the most modeling on lake levels and percent of changes and certainly the international joint commission has boards of control that deal with the outflows at Lake Superior and Lake Ontario that are regulated jointly between the two countries. So there is some of that. We haven't looked at those types of, that

type of science in having these discussions so far. What we've looked at are differences between you know the various states and provinces and what we have for existing body of law and regulations and how we can have an agreement that can have meet the criteria that we've outlined in the principles. How can we have a durable, simple, effective means to deal with water diversions and consumptive uses. But we haven't gotten into the science real deeply. I think each of the experts that comes to the table brings some of that with them. But it hasn't been a science project, it's been more...or it's been a science project, I guess it's been a political science project more than any other type of science (laughs). Other...yes ma'am.

FEMALE: Um, according to what (not understandable) said, how (not understandable) job of making sure that everything is (not understandable) and that it's done right but how practical are the resources (not understandable) do we have the money to do, make all the (not understandable) necessary to do...

MALE: Is your question: Do we have the resources within government you mean to...

FEMALE: Yes. How...

MALE: ...administer this and to ah...

FEMALE: ...practical is all this to do this with (not understandable)?

MALE: That's probably a good question. And certainly we're all out of state or at a stage now in government of looking at declining resources. And the highest...and anytime you look at that the highest priority uses are going to you know still be funded. And certainly we, at least in Minnesota, we have a water appropriation permit program that's going to continue to be funded, and basically our permit programs are self-supporting. Ah that's why I think those will continue. Whether or not there's a, you know, how much more government is needed is yet to be determined. We've had discussions throughout this process and we are looking at creating a new layer of government to administer this. This is going to be done mostly with existing ah staff. So then it gets around to prioritizing.

FEMALE: Do you have technical skill to do this? Because it just seems like there's more technical analysis that needs to be done (not understandable) Great Lakes.

MALE: We have lots of technical staff. And if needed that's where we're going to direct their work. Definitely.

MALE: How concrete will the decisions of the governors be? Is it conceivable that the Supreme Court or the President would take precedence into the ruling and allow a diversion?

MALE: Well I don't see any way to put a...maybe I can give this one to Chuck.

(laughter)

MALE: But I don't see any way to, certainly if the President came, the President couldn't just over-ride something like this. If he actually had a compact, maybe I should explain the difference between a charter and a...a charter is a non-binding good faith agreement. And everybody says they're going to do something and they work together. A compact and that's the proposal is to put this agreement into a binding compact, that's essentially a contract. And so it's enforceable for each state to make sure the other state is living up to their end of that compact.

MALE: There's no loopholes?

MALE: Well there's always room for lawsuits, anybody can sue anybody over anything. You know, I mean so I wouldn't say there would never be a challenge. But ah it is much more defensible than what we have now. And it would be enforceable among each of the parties to that agreement. So it ah, I would think if it is in fact enacted and all states formed this contract, or as a compact, it would be a much stronger mechanism than currently exists. And right now the process that currently exists, because of the Water Resources Development Act of 1986, all eight governors have to approve any diversion out of the basin. That, ah, there have been one or two of those approved and a couple disapproved and there haven't been any legal challenges of that. And that's something that doesn't have standards and doesn't have the basis that we're trying to develop as part of this process. So I have to say this process is more defensible. But ah up to legal challenge? I imagine everything is.

MALE: I think there might have been somebody over here, yes.

MALE: I have another question. And that is, for the Iron Range it looked like there was a disproportionate number of water sources on that map. Almost what? Ten times as many as elsewhere in the basin. Is that a reasonable guess? Or certainly five times.

MALE: Water usage...or different appropriations. We require a separate permit for each source of water. So if you had a given, and that's what that map shows.

MALE: Okay.

MALE: So if you had a mine and they had several different wells that weren't connected at all, each of those would have shown up on that. Compared to the City of Duluth that has one permit they may have multiple intakes but it goes into one collected system. They have one.

MALE: So these are permitted sources now?

MALE: Individually permitted sources yes.

MALE: Do these regulations affect that or not?

MALE: Um...

MALE: Because if they are existing uses, they will not affect it?

MALE: Correct. The existing uses are grand fathered in.

MALE: So in any expansion contemplated on the other...

MALE: This agreement is dealing with new or increased uses.

MALE: Okay.

MALE: Yes, ma'am.

FEMALE: I've heard that on Lake Michigan the water instead of flowing from the land into the lakes is now going the other way. And I am concerned about that (not understandable) because of what we have (not understandable).

MALE: Well and I'll let Chuck address the Lake Michigan issue, but we are, Minnesota is kind of unique. We're at the head of the three major watersheds. I mean we're Lake Superior is one, the Mississippi drainage is the other, Lake Aljaska, and we also have the headwaters of the Hudson Bay. I mean so we have, the water falls on the state it all runs out, we don't have rivers coming in and out. So we're a little bit unique in that regard. That we're at the headwaters of these three major draining spaces. But Chuck maybe you can address, because I think that has been an issue down by Milwaukee and that area about which direction the groundwater is flowing.

CHUCK: Well, ah, Hi Kate(?).

(laughter)

CHUCK: Down in Southeast Wisconsin the basin boundary is very close to the lake. Near Kenosha it's about five miles to...

MALE: You might want to stand up, Chuck.

CHUCK: It's about five miles from the lake. So there's people within the City of Kenosha, some that live within the Great Lakes basin and some that live outside the basin just because the basin boundary is so close there. And we have chosen to use the surface water boundary as the basin also for groundwater. Well that's very (not understandable) sites. And in Wisconsin some parts the water runs through the lake, some parts it runs away from the lake and some of the aquifers that people are getting water from don't even appear to be connected to the lake. Now also down in the Southeast part of the state because of the great populations push from Chicago coming up into Southeast Wisconsin, there's been an extreme depletion of the shallow aquifers. So that the water has been actually lowered 200 to 300 feet down into that aquifer. That shallow aquifer because of that depression now what's happened is where the water used to flow a certain way now there's been such a demand in there that the water is going into that place rather than out of that place. So some of these hydrologic boundaries are being shifted

by the historic use that's there but at least in the groundwater situation that's an area we need to know really a lot more than we know right now. Because there are, you can't even predict what's going to happen when some of these deeper aquifers are being capped right now. It's a lot easier to look at the shallow aquifers and to the lake and the surface water but when they start going down into the thousands of feet then it's really difficult to know what's going on. And we need better information, better data.

FEMALE: (not understandable) we haven't even begun our soil survey in (not understandable).

MALE: Well...

FEMALE: That's just the...

MALE: ...it's interstance(?) has got that on schedule, it should be done in the next couple of years.

FEMALE: Soil, no. What about the waters?

MALE: You know all of these things are going to take some time. But one of the requirements here that was in the Annex is to develop a better data management and data handling system and to do that consistently across the basin. So the key is to, one of the key principles of this is to blur the jurisdictional lines, say we're not going to manage the lake as jurisdictions, we're going to manage the lake basin as a resource. And we're going to have common standards, common protocol, common data, and common systems and every five years we're going to take a look at what's been happening to make sure that as the information comes in, we can adjust this framework as necessary. Because it's imperfect right now. But this is the pathway to get us in a better situation than we are right now.

FEMALE: You said (not understandable). And I know that any planning should be done, but it isn't possibly everywhere for the (not understandable).

MALE: And those are probably the kinds of comments that should be made in front of the processors.

MALE: I think he's saying that we'd appreciate those kinds of writings and we make sure that we capture your thoughts. So we're going to take that on the comment sheets. The other thing is, we can (not understandable) at Lake Superior and say we're 23 feet above Lake Michigan so what are the impacts...the impacts downstream don't directly impact Lake Superior. But we're part of a regional system and this should be managed as a regional system like Chuck was just saying and that's why we're part of this discussion and working towards a process that can provide better protection and management. A sir, you are...

FEMALE: (not understandable) state standards but we don't know how these standards are going to upset the overall long term health and well-being of the (not understandable) so it's

hard to really understand right now what the impact is going to be. But once these (not understandable) come in and it starts happening, then kind of like then we're going to, you know, see the impacts but it will be somewhat too late because (not understandable) already in place.

MALE: Okay. (laughs) Did you (not understandable)?

JOE: Yeah. I'm Joe Fleischmann of the Institute of (not understandable) Policy a non-profit based in Minneapolis. And we've been following this for quite awhile. (not understandable) focus on the farm connections and (not understandable) as well I got one question I can ask as part of the process and seeing how it (not understandable) I'm a little concerned about the 90 day period. Um it's ending right in the middle of October, most people are focused on something happening at the beginning of November right now, um, and farmers are out in the field. And considering it took three years to write it's going to take another couple of years to get through the process to actually getting it on (not understandable) law. I think it would be really beneficial for the people to be able to extend this commentary out to December first or something like that. I think you're going to have people after the election coming back and saying I don't know about this. We've been working (not understandable) and it's very hard to get people informed first of all, it's a technical document, there's a lot of stuff to catch up on, and then to actually figure out where their (not understandable). So I guess that would be one very good question on the (not understandable) areas.

MALE: And we have heard that elsewhere, we'll make note of that. And certainly it's not like on October 19th there's going to be a decision.

JOE: Sure.

MALE: But the official comment period right now ends on October 18th and certainly for what we get or what I get in Minnesota for comments we're going to look at. But unless we take some action to formally extend the period that I couldn't guarantee what would happen at the council and any other formal review. As far as agricultural interests in Minnesota, this you know, this portion of the state is not the heavy agricultural area. So your issue is probably more in the other states than in Minnesota.

MALE: It is. And after all we're very (not understandable) supportive of the idea. We see this kind of water management (not understandable) an idea really, considering Michigan agriculture you know it's (not understandable) second most diverse agriculture in the country after California, (not understandable) it supports hundreds of thousands of people working. The idea of protecting the resources is something that matters (not understandable). So we're supportive of it and (not understandable).

MALE: Thank you.

MALE: (not understandable).

MALE: How it defines groundwater? Well it defines the boundary first. Simplicity at this point because of the lack of science we looked at using the, or assuming that the groundwater basin, surface water basin are (not understandable). I mean they were identical. We know that's not the fact and we'll adjust those with more ah, we can adjust those as we get more information available. I don't know if that totally answers your question.

MALE: (not understandable).

MALE: Yes.

MALE: Okay.

MALE: (not understandable) I'm certainly welcome to...(laughs) keep (not understandable) and answer questions. Yes, sir, go ahead.

MALE: Well I'm just, I'm trying to figure out how the relationship between the (not understandable) standards and diversion (not understandable) connection other than perhaps financial. In other words, if you're diverting water someplace and you're returning it (not understandable) state and you (not understandable) compensate for that, I don't really understand that. Is there any logical explanation there? Logical connection or (not understandable).

MALE: Well the improvement standard is not well defined in this document and that's one of the reasons that we're out seeking public comments to get some guidance on that. The ah, in looking at what our potential impacts to a project and that if there's, there should be an improvement. The end result should be a plus. For a project. I guess that's kind of how this was initially proposed and put forward in our early discussions. Chuck or Jim do you care to expand on that? The improvement standard. (not understandable). Okay.

MALE: (not understandable) another question. Yes, sir.

MALE: My name is Clarence Carlson. I'm from Duluth, born and raised here. And all this paperwork as far as I'm concerned, I'm from the old school, we don't need it. Mother Nature takes care of the aqua fires(?) and the Great Lakes, just leave them alone as they are. I just don't know I hear thunder from one lake to another and that's all (not understandable). And then they want to take water out of the Great Lakes here for foreigners, do you know how dangerous that is? That's the biggest joke in the world. So they can get all the fresh water they want in Lake Ontario where the St. Lawrence River starts. Just come in, we'll stay out, and all they want out of there. And anything for taking water out of here for say out west, have that same thing down at the end of the start of the same corners down there in water (not understandable) they got oil lines that run from Canada down there, no reason they can't have water lines. Get this country here like the Red River there they're flooding off there, can't get rid of the water, shove that stuff out west. Mississippi? Shove it out west. Thank you.

MALE: Thank you. Any other comments, concerns, questions?

FEMALE: Be careful what you ask for.

MALE: (laughs) I don't get too comfortable (laughs).

FEMALE: Jane Lewis, Duluth, Minnesota. I am considerably concerned about the Great Lakes. To keep them minimally harmed we need to be careful, however, on how we write anything (not understandable) about removing all (not understandable) from the, from the (not understandable) basin. I want to keep 99 point 999 percent here. But there's a little problem of (not understandable) we make it here, we (not understandable) region. The amount used in these products is negligible. But the amount of cash flow that makes it possible for us to get (not understandable). If you figured the total gallons used for all Canadians (not understandable), all U.S. beverages, I think you'd find that amount to be such a small percentage of (not understandable) worry about. But if you (not understandable). Now I just don't think the (not understandable) if you want to live on a desert site (not understandable). If you want to have a green lawn, get on back up here with the rest of us and pay for it as usual, by shoveling half the year.

(laughter)

FEMALE: If you don't want to shovel half a year, go down to hurricane (not understandable). I just want to be careful how (not understandable). It's magnificent up here. I was born in North Carolina, we lived in the Southeast. We lived in Gary, Indiana. At that time it was a good place to live. We always complained in Gary about all the fresh air that was sent to us from Canada. But there's a lot of good fresh air in Canada too, I had (not understandable). I do not want wholesale shipping of water from this state. If somebody tries to do it, I want to hear the whole story. The cost of moving that mass. Water is heavy. No matter how you choose it, it's going to be expensive. People can't afford to buy it. We can make rules and we can make (not understandable) but I just can't (not understandable) not what some people are (not understandable). Thank you.

MALE: Thank you.

(applause)

MALE: And we do have a different ah corporation scheme in, in ah Minnesota and the Eastern states than they do in the Western states. Where there it's a first in time, first in right and here we look at repairing rights, reasonable use of water. So there are some differences between how we administer water programs in the eastern United States and how they do in the Western United States. So that may come into play a little bit also. Ah another comment.

FEMALE: Can you clarify um it says here for both water rules that the proposal (not understandable) for human consumption in containers in five and seven gallon containers is considered to be ah in the proposal as consumptive use whereas the proposal to the 12 gallons in Lake Superior or Great Lakes basin water and to move it from the basin in any container greater than 5, 6, 7 gallons is considered a diversion. Can you just clarify that?

MALE: Where are you referring to that? Or do you know the answer to that, Chuck?

CHUCK: Yeah. The difference is the decision process. If it's considered a consumptive use and it's over 5 million gallons that can be approved on a majority vote. If it's considered a diversion which these larger homes would be, then it requires a unanimous vote. So the decision process is more rigorous. For exporting the larger containers of water.

FEMALE: So that they would need these smaller containers like (not understandable).

CHUCK: Well they still have to go through the process but it's just you don't need all of the governors to agree to it. So that bottled water could still be done but bulk exports of water could only be done if everyone agrees to it. But that's the, that was the distinction there. It's just to have a standard where the decision process gets harder when you try to take more water.

FEMALE: But (not understandable).

CHUCK: Right.

FEMALE: (not understandable).

CHUCK: Yes.

MALE: Would there be a consumptive (not understandable)?

CHUCK: Yes.

MALE: (not understandable) bottles, you can actually take more water out in the (not understandable), it's easier what you're saying without the higher threshold. You could actually reopen the water (not understandable) send down as much as 5 million consumptive (not understandable) and it wouldn't have to (not understandable) 20 gallon container and a million (not understandable), right?

MALE: I think you can work through lots of different examples. And this is where it gets complicated. When we're trying to have the same kind of a test and it's okay. How much water is there in a car radiator when it moves out of Detroit? How much is in a dairy? How much is in a tanning? How much is in bottled water? How much is in as the woman said earlier, in beverages. So what we ended up with is just try to ah have something in place that allowed for those kinds of activities to continue but makes it more difficult if you try to take it out in larger quantity containers to use it elsewhere. That's the philosophy there. And that's certainly an area where comments are invited and we expect to get a number of comments. In Chicago the bottling industry made a very strong statement on this provision and said they thought they should be singled out by this size difference and that they thought because they were in smaller than 5.7 gallon containers they had the harder decision process and they thought it was a persecutorial selection of their industry. So again it's just an attempt to get that idea out but it's

an area that comments are going to be needed. Again I think it's the same with Minnesota and Wisconsin. We are not advancing this as a proposal from the states. This is coming out of the council as a framework with the recognition that right now we need public comment to fill in gaps and get reactions to a number of issues and I think as Kent said earlier, the when you look at the governmental differences between the states and Canada there's really a lot of distance to come together with to try to get consistency. So any kind of comment on this issue I think are appropriate.

FEMALE: (not understandable)?

MALE: We've had a number of groups within the structure for the council of (not understandable) governors and one of the groups was to deal specifically with tribal issues. And each state has made contacts with the tribal interests within their jurisdictions. With mixed results I think. We've made those attempts, we've heard that comment at the Toronto meeting quite strongly from those Native Americans...native interests, that there should be more consultation, so we've certainly made efforts throughout the process um and the process is still open if there are concerns we certainly want to address them. Yes?

FEMALE: How is return flow when it's coming into a mining company how (not understandable) regulated and have a (not understandable) mining company for cleaning the product becomes completely unusable?

MALE: Well there's two activities with mining. One is dewatering the mine. And that water may or may not be used in processing. And on a new mine we can direct you know which way the water goes so it's not being sent to a you know across the divide to the Hudson Bay or the Mississippi River (not understandable) space, and any discharge would be sent to the Lake Superior basin. But you are right, you do have channeling basins, you do have water that's used within those processes that's, but it stays within the watershed.

FEMALE: No but also water did go (not understandable).

MALE: Yeah and that water may infiltrate back into the system so there's some...or it would evaporate.

MALE: But, and that's really regulated by a whole other system of water quality and (not understandable) and with this agreement we can't address all those water quality issues. But we can certainly take care of the water quantity issues and look at any sort of impacts there and see how those are addressed through quality of (not understandable). We can't take on a whole new level of government that way, that system will (not understandable).

MALE: I know there's a number of people that came in after we had started, I can maybe just give a real brief synopsis here for your benefit and I don't know whether or not you picked up material in the back, we're basically here tonight to get public comment or Minnesota and Wisconsin to ah, to address the Annex implementing agreements the way that better protects and manage the Great Lakes. So um, if you had specific questions we can attempt to answer those.

And basically it's a process that we've gone through over the last you know, four years plus and developed something that we now have taken out for public comment and comment period does expire October 18th although this process is going to involve lots of discussion beyond that in the principle (not understandable) in the states and two provinces. So there's ah, ah there's lots of room for comments but if you have specific questions we could attempt to answer them. Sure.

MALE: Um (not understandable) but I did catch something on public radio I think you just mentioned it as I came in about if water is sold commercially there would be some kind of a requirement to (not understandable) environmental habitat repair and stuff like that. (not understandable).

MALE: Well the agreements have an improvement standard. So if there is a diversion of water or a large consumptive use, that falls under these thresholds or is over the threshold numbers in the agreements, then there's a requirement that there be an improvement done to the resource. And that's one of these areas of the improvement standard is one of the areas where we're seeking public comment because that's not well defined. And we haven't, we've gone through some scenarios with industry and interest groups in approximately the last several years but there's lots of other examples of, and that still is pretty much undefined is what is the appropriate amount of improvement. And part of that would be, you know, what I think is the appropriate improvement might not be what Wisconsin thinks in their review or Michigan or Ohio or Pennsylvania. So we have and one of the things the industry has said as well is you know they would like more certainty in a process. And I think even the environmental interests, both sides of that would probably like more certainty. But so we would like comments on that if people feel ready to.

(long pause)

MALE: I have one more question.

MALE: Sure!

MALE: When you're talking about the improvement standards, I know there was initial piece that was separate, there was no adverse impact and then there was improvement. And this document kind of looks like mitigation (not understandable) put it back under improvement a little. And is that something that, I don't know what exactly what that means necessarily. I mean if they're still separate or not. (not understandable) or is it actually being looked at as mitigation at (not understandable)?

MALE: The intent of the documents are that there be no cumulative or individual impact. So any mitigation that you would have so that there's no impact, that's the starting level. Above that would be the improvement.

MALE: Okay. (not understandable).

MALE: Yes, sir.

MALE: (not understandable) February of 2000 that the (not understandable) do not authorize a (not understandable) and should exercise caution (not understandable) until such standards are (not understandable) recommendations that the compacts at least (not understandable). Yet the (not understandable) I was wondering why.

MALE: You were wondering why which period is longer?

MALE: The (not understandable) period.

MALE: That's proposed as part of this process?

MALE: (not understandable)

MALE: All right. That IJC is an advocacy group that they advise the government. So I think that they're going to take the role that many of the other advocacy groups have on this issue, that shorter time is better than longer time. So I think that's simply the position that they're taking that this is something that needs to get done. And get it done as soon as possible. And...

MALE: (not understandable)?

MALE: Well...

MALE: ...why then (not understandable). I'm wondering why.

MALE: Well initially when the Annex 2001 was signed there was a three year ah um window put on that to have an agreement done in that three years which would have been June of '04. And we basically then were essentially ready to go out to public comment. And you could look at that and say well shouldn't you have a final agreement by then and had all the public comments and everything done? This is extremely complicated when you have eight U.S. jurisdictions and two provincial jurisdictions, all with a different starting point from their level of permitting. And Ontario and Minnesota both have pretty comprehensive permit programs, the rest of them vary. So they come from different places, they come from different places within their states and whether or not they could pass the legislation, how they think the administration of this compact would work within their own jurisdictions. So it's, and quite frankly it's got a ways to go yet. In this agreement. Like we've had 800 some comments already according to (not understandable)...

(strange machine like background noise)

MALE: ...and sort through those and all the additional...I expect that some entities are waiting until the end...

(end of side a)

(side b)

MALE: ...(not understandable) to the very end. So we're going to get substantive comments that we're going to have to sort through. And unfortunately that can take a little bit of time.

MALE: (not understandable).

MALE: Sure.

MALE: (not understandable).

MALE: Yep.

MALE: (not understandable), um existing use (not understandable) grand fathered in (not understandable) Chicago diversion after (not understandable) as limited (not understandable).

MALE: Ah that issue was raised in Chicago and there is, it has been a point of contention that I believe Illinois has said they aren't very excited about any increases being considered and many other interests have said any increase is beyond the Supreme Court decree should come under this full review. So that's been a point of debate...or a point of concern that's been raised. We're trying not to debate here.

(laughter)

MALE: We're just taking comments. Somebody else, I saw somebody else's hand I thought. I'm getting off pretty easy tonight. Well maybe not. Okay (laughs).

FEMALE: (not understandable). Have you even looked at how the (not understandable) and I'm not saying there's going to be a 15-foot drop in a year but over time there's going to be a drop and those issues are going to have to be addressed and has the council even looked at those issues (not understandable)?

MALE: No really that hasn't been a discussion yet. As part of any of our discussions about how to manage water withdrawals. I think you could look at it, and I don't know the numbers, the amount you know what withdrawals are lowering Lake Superior compared to evaporation because there's, what did I just read someplace? 1.6 feet of evaporation from Lake Superior in October is potential on a hot windy October. So the natural inputs and outputs on the lake are far greater than many of the diversions and uses that we see right now.

MALE: Yeah if I could...

MALE: Go ahead, Chuck.

CHUCK: And the just as an example, one inch on Lake Michigan is like 340 trillion gallons or some 340 billion, some number with so many zeros in back of it we can't even tell what it is. And Lake Michigan's natural fluctuation is 63 inches. That's it's natural fluctuation. So the amount of water that we use, Milwaukee as an example, pumps 160 million gallons a day. And returns that water minus some amount of evaporation loss but the goal of the agreement is to keep the lakes as they are. And not to see water being, water that will cause any kind of adverse impact and that's why we had to set the standards in place. There's no alternatives, no adverse impacts, and by promoting water conservation we expect to see an improvement from where we are right now. In being able to retain more water within the basin. But the goal is to not even have to do that analysis, but if this works we'll stay within the natural variation of the lakes.

FEMALE: (not understandable)

MALE: I would say no but I'm not sure (laughs).

FEMALE: (not understandable)

MALE: And I think I misspoke on the amount of evaporation, I believe you can, I left my notes at, you could lose one inch each week in October from evaporation. Probably the annual evaporation is in the order of 1.6 feet. But the number that Chuck had mentioned I did have those. One inch of water in Lake Superior is 550 billion gallons. And it's 390 billion on Michigan, 400 billion on Huron, 170 billion on Erie and 130 billion on Ontario. So that would be ah, ah 1.6 trillion gallons for one inch of water off of the Great Lakes. I mean it is a massive system but we still have to properly and wisely manage it.

FEMALE: (not understandable).

MALE: (laughs)

MALE: Anything?

MALE: Yeah I was wondering um if (not understandable) use in the water now and grand fathering them in? Are they held (not understandable). Say they are taking water out of the lake and but they're giving back poor quality.

MALE: Well there's other standards that the (not understandable) control agency and federal EPA will deal with the water quality standards. But the existing uses...ah there's been discussion before about conservation. But existing use is under how they are tracking right now, aren't subject to conservation standards or any of these other standards. That's important, you know, people should be making that comment so we know.

MALE: (not understandable) proposed compacts?

MALE: Ah existing...

MALE: (not understandable) well they're off the hook, see they don't have to worry about it (not understandable).

MALE: Well I've generally not seen people that have volunteer to be regulated more (laughs). But ah, so I don't see people coming forward and saying "Regulate me." But you know, we hear your comments and we will take that...

MALE: ...in Minnesota we do have a permit system so we do require that (not understandable) we do look at (not understandable).

FEMALE: (not understandable).

MALE: Yeah we could, in Minnesota we have an annual quota system. That data is actually up on the website.

MALE: And the report they're required to meter or have a means of accurately measuring so it's not a wild guess at how much water they actually use. It's a you know, pretty accurate.

FEMALE: (not understandable) 100 percent participation (not understandable).

MALE: It's actually a requirement in the statute. And there's a requirement of a permit and if they don't comply with that requirement, we can terminate their permits. Our compliance rates last year was 99.8 percent. And then you terminate (not understandable).

MALE: Yes sir.

MALE: Do you have any estimates on how much water would be, you know on a worse case scenario what would be diverted out of the watershed? Could you give us numbers as far as evaporation and x trillion gallons, but (not understandable) to Arizona or something?

MALE: Well even though...export to Arizona, I would say the chances of that are very, very slim. But might other interests beyond the Great Lakes watershed covet this water? Sure. Ah when we've asked among the eight states what they see as potential proposals for year basin requests and there aren't very many. There have only been a half-a-dozen over the last 20 years that have been talked about or requested. And likely not ah you know that many in the next 20. I mean it's, it's very, because it's a rigorous standard that exists right now. To get each state's governor to approve and to have this process it's ah you know, it's not an easy process. So we didn't anticipate that there would be a lot. But as we talk about this process it's looking way down the road, you know, but ah, you know 100 years from now how might things be different?

MALE: (not understandable) millions of gallons possibly. Hundreds of millions of gallons?

MALE: I really have no way to estimate that. I mean it's, and the process that we're talking about if there were some of these (not understandable) there's a requirement for return flow so the annual net loss may not, you know, may not be that large. But ah, um, it depends on whether or not you think a million gallons is a lot of water or not. I mean it's a big number but...

MALE: One inch of evaporation is an...

MALE: Yeah, go ahead.

FEMALE: (not understandable) other areas (not understandable).

MALE: No.

FEMALE: (not understandable)

MALE: (laughs) And you know you mentioned the stuff about the western water or Arizona again, and certainly the western states have had subsidized water. I mean their water delivery systems have been largely subsidized by federal projects for ah...in Minnesota and eastern states typically haven't had that large water delivery like the western states have.

FEMALE: (not understandable)

MALE: (laughs) Yeah we do. Somebody here?

FEMALE: Um when you were answering that last question and (not understandable) so far and what a difficult process it is (not understandable) how is this different (not understandable) right now?

MALE: Right now what exists is and you may have, you didn't miss the PowerPoint did ya? In 1985 the eight states developed a charter. Which was a good faith agreement between those states to look at diversions and consumptive uses. Then in 1986 the federal government passed a law that was in the Water Resources Development Act of '86. WRDA86 is what it's referred to. That required that for any diversion out of the Great Lakes basin, you had to give all eight states governor's agreement. So basically then a state could have a veto power over a diversion problem. But there are no standards, there is no divinitious involved in that, it was for any diversion outside. But there wasn't a process or standard. So it was time to ya made it up or you developed it as you went. And there were a couple proposals, one in Lowell, Indiana that was rejected ah one in Akron, Ohio that was approved here in just the last year and that one required that water it would be return flow back into the basin so then that loss was minimal. So how this process is different is here we have a standard, and you have a process and you have some definition and there's more clear expectations on everyone's part on what you have to do in order to get approval.

MALE: (not understandable) I think that everyone agrees there shouldn't be any diversions out of the Great Lakes but when you get down to the realities of some of the

circumstances like (not understandable) in Southeast Wisconsin where Kenosha exists on both sides of the boundary and some of the area within the Kenosha city that are other governmental subdivisions but within a metro area, may not, the groundwater has been so depleted in that area that now radium is leaking into the groundwater. They can't meet the radium standards, they've got a severely depressed groundwater table and you get down to the question, okay how are you going to satisfy these existing needs of these people? And in the past, even if it went there and went back again back into Lake Michigan it was considered a diversion. And that's the kind of situation that with the Water Resource Development Act, some states that have taken a no diversion stance would just say no. They didn't care about the facts, they didn't care about the alternatives, they didn't care about the impacts, all they said was no. So it made a situation where one state could control whether or not another state was able to have potable water for its citizens. So the hope is that there's a system here that not only protects the lake but does it in a way that also allows to meet the needs where you have some of these unique geologic and geographic features where you can sit on your back porch and look and see Lake Michigan but you wouldn't be able to drink it just because of where the basin boundary was. So at least for Wisconsin, having a system in place that is environmentally protective will be a good thing from a public health standpoint.

FEMALE: (not understandable).

MALE: Very small.

FEMALE: (not understandable).

MALE: No because they would shift from the groundwater to a Lake Michigan supply. That's the goal is a shift. So they are no longer taking the radium into the system at all. And that will also allow that aquifer to restore itself over time.

FEMALE: (not understandable).

MALE: But it would be lake water going through the wastewater system, not groundwater.

FEMALE: (not understandable).

MALE: The shallow aquifer dip, the deeper aquifer we don't know. It goes into a confined layer where there's a shale layer over the top and it comes, and it actually is a aquifer that starts 50 miles farther than the surface water boundary way out to the west. And that's where the surface, using the surface water doesn't match with the groundwater. And then it's in a sloped aquifer that goes very far under Lake Michigan and our State Geologic Survey and the U.S. Geologic Survey have done analyses and cannot see that there's any kind of measurable connection between that aquifer and Lake Michigan. But we don't know where it goes. We don't know if it connects to Lake Erie, we don't know if it connects to the Ohio River, we just know that it goes underneath there and because of the layers in between the bottom of the lake and the impermeable shale over the top that they're not connected. So that's an example of where for us

we just don't have enough information about these. And this kind of study is extremely expensive. And extremely time consuming. So hopefully by putting a structure in place like this we in Wisconsin are hopeful that it'll allow us to have some rigor in the way we evaluate uses for Lake Michigan water, but there at least is a hope at the end of the process that you may be able to use Lake Michigan water rather than go through the process and have some governor say in New York decide they don't want you to have the water and say no. Even if you pass the test because under the WRDA situation right now there's no standards, no criteria, no process. It's just a veto authority.

FEMALE: (not understandable).

MALE: That's a great (not understandable).

(laughter)

FEMALE: (not understandable) election year and I haven't seen (not understandable).

(laughter)

MALE: I think many of the states have the type of thing for the border communities they (not understandable) is half-in and half-out for example of the watershed so there are some of those where if you were just going to say there should be an absolute prohibition and not a single gallon should go outside the watershed divide, there are some instances where that might not be so practical. So we have to look at how we can responsibly deal with that. And that's what we've attempted to do with the agreements that have been developed so far. Yeah?

FEMALE: (not understandable) you said there are eight governors. So there are (not understandable).

MALE: Correct, they are not. Because that was just a federal law congress passed so it was only affecting the U.S. side of the border.

FEMALE: And (not understandable).

MALE: And any agreement that we would make with the Canadian provinces, if we made a binding agreement that would be a treaty. And we can't do that. Only the federal government can do a treaty. So that's why we have two processes here. One with the eight states being a compact and one with the eight states and two provinces just being a non-binding agreement.

FEMALE: (not understandable)

MALE: Um, the question was whether or not anyone has figured out the cash flow or the value added benefit to water. And no. But it is significant. I mean whether or not it's for

agricultural irrigation within the basin or products or anything else, it is a significant number. Some gentleman here?

MALE: Do you think your proposal can generate the same enthusiasm (not understandable) greater metropolitan (not understandable) did a few years ago?

(laughter)

MALE: (laughs) Ah. Hard to say. (laughs) There has been significant interest. As Jim said there has been 800 comments on this and I don't think they've all been this ah, 600 postcards coming from the same place. I mean there's been lots of interest in this topic, the Great Lakes are something that people take very seriously and they should. And certainly the lawsuit in Chicago was dealing with the same issue, how do we manage the Great Lakes.

MALE: And they've got the same paradox that Wisconsin has here with similar geologic situation is compared to watersheds or riversheds are parallel to Lake Michigan. Very close (not understandable) the Fox and DesPlaines and (not understandable) parallel, right along (not understandable) and they do have development problems there. Then when you get to Chicago the diversion (not understandable) probably save the southern half of the country.

MALE: Yeah, I mean...

MALE: It's a win (not understandable) situation politically.

MALE: Well it certainly is. Then you have the waste (not understandable) to the Illinois and the Mississippi ah and the Mississippi River.

MALE: I have a good fortune of listening to (not understandable).

MALE: I was involved in the mediation a few years ago. Five years ago or something. (laughs) That was an interesting process also.

MALE: Well you have to realize that southwest of Chicago is developing very rapidly. All the way from there to St. Louis (not understandable) and they're going to take more and more water out of the Great Lakes. There's no (not understandable). They probably are right now.

MALE: Well there are limits within the, that's a big (not understandable) and there were the issues that were discussed at that true mediation was what was accounting for their being over this Supreme Court limit. And there was leakage through the training walls within the harbor, the lock wouldn't close all the way, so there was leakage to the lock. They had (not understandable) that they would use for recreation, so there's lots of discussion on how to minimize that and how to bring them into compliance and they've done, they've spent a lot of money fixing those works ah around the entrance to the Illinois River and they've gone, they're pretty close to being fully compliant if they aren't already. I just got the report from their ah for the last year's water use. So you know they're moving in the right direction.

FEMALE: (not understandable).

MALE: (laughs) I expect they probably did. When they had that failure, yeah.

FEMALE: (not understandable).

MALE: (laughs) All right. Anything else? Certainly we have materials in the back and on the comment sheets there's names and my name and address and Chuck I don't know if you want to give them a address specifically for, or was there something for comments for Wisconsin specifically or where would you want them to be directed?

CHUCK: They could, I'll put a card, a couple of cards back there that if people want to send them they can send them to.

MALE: Okay, so if you have comments that you want to give directly to Wisconsin, pick up one of Chuck's cards or see him directly. And ours are on those forms and we'll certainly take email comments. It's best if they come in before the October 18th timeframe. If not I know we'll still accept them. How much I can do with them after that is yet to be determined, but we'll have be having discussions internally in Minnesota with the administration, with the governor as we develop a position to move forward on this process. So I thank you all for your patience and attendance here tonight and we'll hang around for awhile if you have more questions, you want to see anything we have here, we'll be happy to share it with you. So thanks everybody.

(end of recording)

TRANSCRIPTIONIST CERTIFICATION

I, LaDonna Radel of Advanced Office Support, Division of Radel and Associates, Inc., do hereby certify that we have transcribed the conversation on the above referenced tape to the best of our knowledge and ability.

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